

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

MALIBU MEDIA, LLC,	)	
	)	
Plaintiff,	)	Civil Action No. <u>3:13-cv-00205-wmc</u>
	)	
v.	)	
	)	
JOHN DOE subscriber assigned IP	)	
address 24.183.51.58,	)	
	)	
Defendant.	)	
_____	)	

**PLAINTIFF’S FIRST MOTION FOR EXTENSION OF TIME  
WITHIN WHICH IT HAS TO SERVE JOHN DOE DEFENDANT  
WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which Plaintiff has to serve John Doe Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by their internet service provider (“ISP”).
2. On April 4, 2013, Plaintiff was granted leave to Serve Third Party Subpoena on Defendant’s ISP for the purpose of obtaining the Defendant’s true identity [CM/ECF 4].
3. On May 28, 2013, this Court entered an order sealing the complaint and exhibits, staying the Court’s February 1, 2013 order, and ordering Plaintiff to show cause why attaching Exhibit C to the Complaint does not violate Rule 11(b) [CM/ECF 7].
4. Plaintiff has responded to the show cause order, but the issue has not yet been resolved.

5. Pursuant to Rule 4(m), Plaintiff is required to effectuate service on Defendant by today, July 23, 2013. As Plaintiff does not yet know the Defendant's true identity, it is unable to effectuate service on the Defendant by the current deadline.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the John Doe Defendant be extended until sixty (60) days after the Show Cause Order is resolved. A proposed order is attached for the Court's convenience.

Dated: July 23, 2013

Respectfully submitted,

SCHULZ LAW, P.C.

By: /s/ Mary K. Schulz  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that on July 23, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Mary K. Schulz